

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MACIEJ MURAKOWSKI,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 07-475 MPT
)	
UNIVERSITY OF DELAWARE,)	
)	
Defendant.)	

MOTION FOR SUMMARY JUDGMENT

Plaintiff Maciej Murakowski hereby moves the Court, pursuant to *Federal Rule of Civil Procedure* 56, for summary judgment on his claims on the ground that there is no material dispute of fact, and that he is entitled to judgment as a matter of law. The basis for plaintiff's motion is set forth in detail in plaintiff's opening brief in support of this motion, filed contemporaneously herewith.

Dated: March 17, 2008

Respectfully submitted,

/s/ David L. Finger
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Plaintiff,)	
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v.)	C.A. No. 07-475 MPT
)	
UNIVERSITY OF DELAWARE,)	
)	
Defendant.)	

ORDER

On this _____ day of _____, 2008, having considered the submissions and arguments of the parties, IT IS HEREBY ORDERED THAT:

1. The motion of plaintiff Maciej Murakowski on his claim under 42 *U.S.C.* §1983 for violation of his constitutional rights is GRANTED.
2. The Court declares that the suspension of Mr. Murakowski by the University of Delaware (“UD”) violated Mr. Murakowski’s free speech rights under the First Amendment to the Constitution of the United States, and is hereby deemed null and void.
3. UD is ordered to expunge Mr. Murakowski’s conviction and suspension from its records.
4. Mr. Murakowski is awarded compensatory damages, represented lost future earnings, in the amount of \$59,361.00.
5. As prevailing party, Mr. Murakowski is awarded his court costs and reasonable attorney’s fees. Within seven (7) calendar days of the entry of this Order, counsel for plaintiff shall file with the Court, under seal, a statement of his fees and expenses. Defendant shall have seven (7)

calendar days thereafter to file any objection to said statement of fees and expenses. Plaintiff shall have seven (7) calendar days thereafter to file any response to any such objections.

Thynge, M.J.